

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

CHINA HOSPITALS, INC.,
Debtor in a Foreign Proceeding,

Debtor.

)
) Chapter 15
)
) Case No. 19-13767 (SCC)
) Re: Docket No. 6
)
)
)

**ORDER SCHEDULING RECOGNITION HEARING, APPROVING
FORM AND MANNER OF NOTICE, AND GRANTING RELATED RELIEF**

Upon the motion (the “Motion”)¹ of Cosimo Borrelli as the authorized foreign representative (the “Foreign Representative”) of the above-captioned debtor (the “Debtor”), seeking entry of an order (a) scheduling a hearing on the relief sought in the Verified Petition, (b) setting the deadline by which any responses or objections to the Verified Petition must be received, (c) approving the form of the Notice of the Recognition Hearing and Provisional Relief Order, (d) approving the manner of service of the Notice as described herein, (e) authorizing the Foreign Representative to redact certain personal identifying information for individuals, and (f) granting related relief; the Court having jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and 1334, and 11 U.S.C. §§ 109 and 1501; and the Court having found that it may enter a final order consistent with Article III of the United States Constitution; venue being proper before the Court pursuant to 28 U.S.C. § 1410(1) and (3); and adequate and sufficient notice of the filing of the Motion having been given by the Foreign Representative; and it appearing that the relief requested in the Motion is necessary and beneficial to the Debtor; and no objections or other responses having been filed that have not been overruled,

¹ Capitalized terms used but not defined herein shall have the meanings given to them in the Motion.

withdrawn, or otherwise resolved; and after due deliberation and sufficient cause appearing therefor, it is hereby ORDERED that:

1. The Motion is granted as set forth herein.
2. A hearing on the relief requested in the Verified Petition is scheduled for December 16, 2019, at 10:00 a.m. (prevailing Eastern Time) in Courtroom 623 of the United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, New York 10004-1408.
3. The form of notice in substantially the form attached hereto as **Exhibit 1** (the “Notice”), including as modified for publication, of the Recognition Hearing and Provisional Relief Order is hereby approved.
4. Within five business days following entry of this Order, the Foreign Representative shall serve copies of the Notice by first-class mail on: (a) the Office of the United States Trustee; (b) the Securities and Exchange Commission; (c) the United States Attorney for the Southern District of New York; (d) the Internal Revenue Service; (e) all persons or bodies authorized to administer the Cayman Islands Proceeding; (f) all parties to litigation pending in the United States in which the Debtor is a party as of the date hereof; (g) all known creditors of the Debtor; (h) all known equity holders of China Hospitals (including, without limitation, Classroom Investments Inc., Dragon Dosan Technology Limited, Capital Basin Enterprises Limited, Best Strive International Limited, Fortune Global International Limited, and Wonder Effect Limited); (i) all parties against whom the Debtor is seeking provisional relief pursuant to section 1519 of the Bankruptcy Code; (j) China Healthcare Inc.; (k) the Founder; (l) Bank of America; (m) such other parties in interest that have requested notice pursuant to Bankruptcy Rule 2002; (n) any other

parties of which the Foreign Representative becomes aware that are required to receive notice pursuant to Bankruptcy Rule 2002(q); and (o) such other entities as this Court may direct.

5. The Foreign Representative shall serve the Notice and any subsequent notices upon any party that files a notice of appearance in this chapter 15 case within five business days of the filing of such notice of appearance, or as soon thereafter as practicable, if such documents have not already been served on such party (or its counsel).

6. Service of the Notice in accordance with this Order is hereby approved as adequate and sufficient notice and service on all interested parties.

7. All notice requirements set forth in section 1514(c) of the Bankruptcy Code are inapplicable in the context of this chapter 15 case or are hereby waived.

8. The Foreign Representative is authorized to redact information in respect of individuals listed on the Debtor's form petition or any other document filed with the Court pursuant to 11 U.S.C. § 107(c)(1); provided, however, that the Foreign Representative and the U.S. Trustee shall meet and confer in good faith regarding any further dispute as to the scope of such redactions and the Debtors may seek appropriate relief from this Court insofar as such a dispute cannot be resolved consensually; provided, further, however, that with respect to the Founder, such redactions shall be limited to his address, e-mail, and like information. The Foreign Representative is authorized and directed to file any appropriate document with the Court to give effect to the scope of authorized redactions with respect to the Founder as and to the extent set forth herein.

9. Responses or objections to the Verified Petition and the relief requested therein must be made pursuant to the Bankruptcy Code, the Bankruptcy Rules, and the Local Rules, including, without limitation, Bankruptcy Rule 1011, in writing and setting forth the basis therefor. Such responses must be filed with the United States Bankruptcy Court for the Southern District of

New York, One Bowling Green, New York, New York 10004-1408, and served upon counsel for the Foreign Representative so as to be *actually received* by them no later than December 9, 2019, at 4:00 p.m. (prevailing Eastern Time). Notices to counsel for the Foreign Representative should be addressed to (i) Kirkland & Ellis LLP, 601 Lexington Avenue, New York, New York 10022, Attn.: Christopher J. Marcus, P.C. and Lauren Friedman and (ii) Kirkland & Ellis LLP, 300 North LaSalle, Chicago, Illinois 60654, Attn.: W. Benjamin Winger.

10. The contents of the Motion satisfy the requirements of Bankruptcy Rule 9006(c)(1).

11. The Foreign Representative is authorized to take all actions necessary to effectuate the relief granted pursuant to this Order.

12. The terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

13. This Court shall retain exclusive jurisdiction with respect to the enforcement, amendment, or modification of this Order, any requests for additional relief or any contested matter and adversary proceeding brought in and through the chapter 15 case, and any request by any entity for relief from the provisions of this Order, for cause shown, that is properly commenced and within the jurisdiction of this Court.

New York, New York
Dated: November 25, 2019

/S/ Shelley C. Chapman
THE HONORABLE SHELLEY C. CHAPMAN
UNITED STATES BANKRUPTCY JUDGE

EXHIBIT 1

Notice of Recognition Hearing

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

CHINA HOSPITALS, INC.,
Debtor in a Foreign Proceeding,

Debtor.

)
) Chapter 15
)
) Case No. 19-13767 (SCC)
)
)
)
)
)

**NOTICE OF RECOGNITION HEARING
ON FOREIGN RECOGNITION PROCEEDINGS**

PLEASE TAKE NOTICE that on November 24, 2019, Cosimo Borrelli, as the authorized foreign representative (the “Foreign Representative”) of the above-captioned debtor (“China Hospitals” or the “Debtor”) subject to a liquidation proceeding before the Grand Court of the Cayman Islands (the “Cayman Islands Proceeding”), filed a *Verified Petition for (I) Recognition of Foreign Main Proceedings, (II) Recognition of Foreign Representative, and (III) Related Relief under Chapter 15 of the Bankruptcy Code* (the “Verified Petition”) pursuant to 11 U.S.C. §§ 1504, 1515, and 1517 with the United States Bankruptcy Court for the Southern District of New York.

PLEASE TAKE FURTHER NOTICE that, among other things, the Debtor seeks entry of an order recognizing the Cayman Islands Proceeding as a foreign main proceeding pursuant to section 1517 of title 11 of the United States Code (the “Bankruptcy Code”) and granting certain additional relief pursuant to sections 105(a), 1507, 1510, 1515, and 1521 of the Bankruptcy Code.

PLEASE TAKE FURTHER NOTICE that the Court has scheduled a hearing with respect to the Verified Petition (the “Recognition Hearing”) for 10:00 a.m. (prevailing Eastern Time) on December 16, 2019.

PLEASE TAKE FURTHER NOTICE that any party in interest wishing to submit a response or objection to the Verified Petition must do so in accordance with the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, and the local rules of the Court, and such response or objection must be in writing and set forth the basis therefor, must be filed with the Court in accordance with General Order M-399, and shall be served upon United States counsel for the Foreign Representative: Kirkland & Ellis LLP, 601 Lexington Avenue, New York, New York 10022, Attn.: Christopher J. Marcus, P.C., and Lauren Friedman and Kirkland & Ellis LLP, 300 North LaSalle, Chicago, Illinois 60654, Attn.: W. Benjamin Winger, **so as to be actually received no later than December 9, 2019, at 4:00 p.m. (prevailing Eastern Time)**, with a courtesy copy served upon the Chambers of the Honorable Shelley C. Chapman, United States Bankruptcy Judge, United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, New York 10004-1408.

PLEASE TAKE FURTHER NOTICE that on November 25, 2019, the Court entered that certain order granting provisional relief under sections 105(a) and 1519 of the Bankruptcy Code [Docket No. []] (the “Provisional Relief Order”). The Provisional Relief Order provides, among other things, on a provisional basis, certain protections afforded by the Bankruptcy Code, including those protections arising under the automatic stay provided under 362(a).

PLEASE TAKE FURTHER NOTICE that copies of the Provisional Relief Order, the Verified Petition filed by the Foreign Representative, and any other pleadings filed in this chapter 15 case may be obtained by visiting the Court’s website at <http://www.nysb.uscourts.gov> (a PACER login and password are required to retrieve a document), by visiting www.omniagentsolutions.com/chinahospitals or upon written request to the Foreign Representative’s United States counsel addressed to: Kirkland & Ellis LLP, 601 Lexington

Avenue, New York, New York 10022, Attn.: Christopher J. Marcus, P.C., and Lauren Friedman and Kirkland & Ellis LLP, 300 North LaSalle, Chicago, Illinois 60654, Attn.: W. Benjamin Winger.

PLEASE TAKE FURTHER NOTICE that hearings in this matter, including the Recognition Hearing, shall take place at the United States Bankruptcy Court of the Southern District of New York, One Bowling Green, New York, New York 10004-1408.

PLEASE TAKE FURTHER NOTICE that at the Recognition Hearing the Court may order the scheduling of a case management conference to consider the efficient administration of this chapter 15 case.

PLEASE TAKE FURTHER NOTICE that your rights may be affected. You should read the Verified Petition and the Provisional Relief Order carefully and discuss them with your attorney, if you have one in connection with this chapter 15 case. If you do not have an attorney, you may wish to consult one.

PLEASE TAKE FURTHER NOTICE that if you do not want the Court to grant the relief requested by the Foreign Representative, or if you want the Court to consider your views on any matter requested at the Recognition Hearing, then you or your attorney must attend such hearing. If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought by the Foreign Representative and may enter an order granting the relief requested.

[Remainder of page intentionally left blank.]

New York, New York
Dated: November 25, 2019

/s/ Christopher Marcus, P.C.

Christopher J. Marcus, P.C.

Lauren Friedman

KIRKLAND & ELLIS LLP

KIRKLAND & ELLIS INTERNATIONAL LLP

601 Lexington Avenue

New York, New York 10022

Telephone: (212) 446-4800

Facsimile: (212) 446-4900

- and -

W. Benjamin Winger (*pro hac vice* pending)

KIRKLAND & ELLIS LLP

KIRKLAND & ELLIS INTERNATIONAL LLP

300 North LaSalle

Chicago, Illinois 60654

Telephone: (312) 862-2000

Facsimile: (312) 862-2200

Counsel to the Foreign Representative